

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

JERRY RODRIGUEZ

Plaintiff,

v.

REMY COEYTAUX

Defendant.

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C.A. NO. 3:25-cv-00225

JOINT MOTION FOR ENTRY OF AN AGREED BRIEFING SCHEDULE

Plaintiff Jerry Rodriguez (“Plaintiff”) and Defendant Dr. Remy Coeytaux (“Defendant”) (collectively, the “Parties”) respectfully move this Court for the entry of an agreed briefing schedule on Defendant’s forthcoming Motion to Dismiss, Plaintiff’s Motion for Preliminary Injunction, ECF No. 17, and Plaintiff’s Motion for Rule 54(b) Partial Final Judgment. ECF No. 24. In support of this Motion, the Parties show this Court as follows:

1. Plaintiff filed his original complaint on July 20, 2025. ECF No. 1.
2. In September 2025, Plaintiff’s counsel notified Defendant’s counsel that he intended to seek leave to amend his complaint in December 2025, and proposed that the parties stay briefing on Defendant’s motion to dismiss pending amendment of the complaint. The parties jointly filed, and this Court granted, a motion extending Defendant’s deadline to

answer or file a motion to dismiss until thirty days after Plaintiff filed his amended complaint. *See* ECF No. 13; ECF No. 14.

3. Plaintiff filed an amended complaint on February 1, 2026. ECF No. 16. Plaintiff's Amended Complaint now seeks two injunctions under HB 7. *See id.* ¶¶ 30–40. First, Plaintiff seeks an injunction prohibiting Dr. Coeytaux from “mailing abortion-inducing drugs into Texas.” *Id.* ¶¶ 30, 40(b). Plaintiff also seeks an “anti-clawback injunction” to prevent Defendant from filing a claim under its “abortion-shield law.” *See id.* ¶¶ 34–40(c).

4. Plaintiff filed a motion for a preliminary anti-clawback injunction on February 2, 2026. ECF No. 17. Defendant's response is presently due on February 23, 2026, prior to his response to the Amended Complaint.

5. On February 10, 2026, Defendant filed an unopposed motion to extend the deadline to respond to the Amended Complaint to March 16, 2026, and for leave to file excess pages, which was granted by this Court the next day. ECF No. 22; ECF No. 25.

6. On February 10, 2026, Plaintiff further moved for entry of a Rule 54(b) partial final judgment on his claim for a permanent anti-clawback injunction. ECF No. 24. Defendant's response is presently due March 3, 2026.

7. Defendant intends to file a motion to dismiss the Amended Complaint. That motion will raise, among other issues, substantial questions regarding Plaintiff's standing and the Court's authority to adjudicate the requested injunctive relief. Because the standing and jurisdictional issues overlap significantly with the issues presented in Plaintiff's motions for preliminary injunction and Rule 54(b) partial final judgment, simultaneous and

coordinated briefing would promote the efficiency in briefing the motions and conserve this Court's and the parties' resources by fully addressing these issues at the same time.

8. Accordingly, the parties respectfully propose the following consolidated briefing schedule:

- **April 16, 2026:** Defendant's Motion to Dismiss; Defendant's Response to Plaintiff's Motion for Preliminary Injunction; and Defendant's Response to Plaintiff's Motion for Rule 54(b) Partial Final Judgment.
- **May 15, 2026:** Plaintiff's Response to the Motion to Dismiss; Plaintiff's Replies in Support of the Motion for Preliminary Injunction and Motion for Rule 54(b) Partial Final Judgment.
- **May 29, 2026:** Defendant's Reply in Support of the Motion to Dismiss.

9. This modification of the briefing schedule is made in good faith and not for the purpose of delay. The proposed briefing schedule will not delay the progression of the other deadlines established in this court's docket control order as trial is not set until May 7, 2027.

10. Additionally, because the motion for preliminary injunction involves complex and novel legal questions, Defendant respectfully seeks ten (10) additional pages in his response brief.

A proposed order granting the parties' joint motion is attached.

Dated: February 19, 2026

/s/ Jonathan F. Mitchell

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Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2026, the foregoing document was electronically filed with the Clerk of Court for the U.S. District Court, Southern District of Texas, using the electronic filing system of the court.

/s/ Christopher M. Odell

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